

#11/108
12/17/01

ATTORNEY'S DOCKET NO: D0590/7005 (ERP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe Verwaerde et al.
Serial No: 09/550,107
Filed: April 14, 2000
For: COMPOUND SCREENING METHODS
Examiner: B. Whiteman
Art Unit: 1633

CERTIFICATE FACSIMILE TRANSMISSION

The undersigned hereby certifies that this document is being sent by facsimile to Examiner Brian Whiteman, facsimile number (703) 308-2742, Commissioner for Patents, Washington, D.C. 20231, on the 14th day of December, 2001.


Elizabeth R. Plumer, Reg. No. 36,637

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Restriction Requirement mailed from the United States Patent and Trademark Office on September 28, 2001. A Petition for a Two Month Extension of Time and appropriate fee are submitted herewith.

In response to the Restriction Requirement, Applicants elect the invention of:

Group I - Claims 1, 2, 8-45, 51-99, 101, 105-126, 164, 165, and 179-186, drawn to a method of identifying chemical substances, which, have potential pharmacological activity using nematode worms, which method comprises **detecting a signal, indicating phenotype, physiological, behavioral, or biochemical changes** in the nematode using non-visual detection means, classifiable in class 800, subclass 3, class 424, subclass 9.6, subclass 93.7.

In response to the species restriction, Applicants elect:

"biochemical", "wild-type", "adult worms", "alpha-synuclein", "SERCA and PLB protein".

Applicants respectfully traverse the species restriction on the basis that the restriction to these individual species would not impose an undue burden on the Examiner. The invention as claimed lies in the screening methodology and is largely independent of the genetic background

U.S.S.N. 09/550,107

-2-

Attorney Docket: D0590/7005

of the nematode worms. Accordingly, searching and examination of the prior art relating to the methodology of the claimed invention would not be significantly different regardless of the particular species used to perform the claimed invention.

In view of the foregoing, Applicants request reconsideration of the restriction requirement. If the Examiner maintains the restriction, then Applicants respectfully request that, where applicable, claims directed to the non-elected species be rejoined upon allowance of any generic claims.

Respectfully submitted,

By: 

Elizabeth R. Plumer, Reg. No. 36,637

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, MA 02210

Tel. (617)720-3500

Docket No. D0590/7005

Date: December 14, 2001



FAX RECEIVED
DEC 14 2001
GROUP 1600

OFFICIAL

F A X C O V E R

Date December 14, 2001 Number of pages (including cover): 2

To Examiner B. Whiteman, Group Art Unit 1633
U.S. Patent and Trademark Office

Serial No. 09/550,107

Tel (703) 305-0775

Fax (703) 308-2742

From E. Robin Plumer, Ph.D

Direct dial 617.573.7943

Our Ref D0590/7005

ORIGINAL DOCUMENTS SENT: ☐ 1st Class Mail ☐ Overnight Mail ☐ Air Mail ☒ Not Sent

CERTIFICATION OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT A Communication in the above-referenced application is being facsimile transmitted to examiner B. Whiteman at the U.S. Patent and Trademark Office, Fax No. (703) 308-2743 on the date shown below.

December 14, 2001


Elizabeth R. Plumer, Reg. No. 36,637

This transmission contains confidential information intended for use only by the above-named recipient. Reading, discussing, distributing, or copying this message by anyone other than the named recipient, or his or her employees or agents, is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone (collect), and return the original message to us at the address below via the U.S. Postal Service.

IF YOU DID NOT RECEIVE ALL OF THE PAGES OF THIS TRANSMISSION OR IF ANY OF THE PAGES ARE ILLEGIBLE, PLEASE CALL 617.720.3500 IMMEDIATELY.

Wolf Greenfield Fax Number: 617.720.2441

Wolf, Greenfield & Sacks, P.C. | 600 Atlantic Avenue | Boston, Massachusetts 02210-2206
617.720.3500 | fax 617.720.2441 | www.wolfgreenfield.com

PATENTS TRADEMARKS COPYRIGHTS TECHNICAL TRANSFERS LITIGATION